

**AMENDED AGENDA\***  
**CITY OF COSTA MESA**  
**REGULAR CITY COUNCIL AND SUCCESSOR AGENCY**  
**TO THE REDEVELOPMENT AGENCY\* MEETING**

\*NOTE: ALL AGENCY AND AUTHORITY MEMBERSHIPS ARE REFLECTED IN THE TITLE "COUNCIL MEMBER."

**\*CC-4 LIONS PARK PLAYGROUND IMPROVEMENTS HAS  
BEEN WITHDRAWN FROM THE AGENDA.**

**TUESDAY, MARCH 6, 2018**  
**CITY COUNCIL CHAMBERS**  
**77 FAIR DRIVE, COSTA MESA, CALIFORNIA**  
**CLOSED SESSION – 4:00 P.M.**  
**REGULAR MEETING – 6:00 P.M.**

**SANDRA L. GENIS**  
Mayor

**ALLAN R. MANSOOR**  
Mayor Pro Tem

**KATRINA FOLEY**  
Council Member

**JOHN B. STEPHENS**  
Council Member

**JAMES M. RIGHEIMER**  
Council Member

City Attorney  
**Thomas Duarte**

City Manager  
**Thomas R. Hatch**

**Note regarding agenda-related documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5):**

[Any related documents provided to a majority of the City Council after distribution of the City Council Agenda Packets will be made available for public inspection. Binders containing these agenda-related documents are located in the Council Chambers lobby. In addition, such documents may be posted—whenever possible on the city's website at \[www.costamesaca.gov\]\(http://www.costamesaca.gov\).](#)

**Please note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information.**

Your attendance at this public meeting is valued and appreciated. If you have questions regarding the agenda, public comments or wish to obtain copies of documents please contact the City Clerk office at (714) 754-5225 or e-mail [cityclerk@costamesaca.gov](mailto:cityclerk@costamesaca.gov).

**AMENDED AGENDA – REGULAR MEETING – MARCH 6, 2018 – PAGE 1**

## WELCOME TO THE CITY COUNCIL MEETING

### **PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:**

Members of the public desiring to speak during the Public Comments period on a matter not on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. Each speaker is limited to three minutes.

### **PUBLIC COMMENTS – CONSENT CALENDAR:**

Members of the public desiring to speak on a consent calendar item shall submit such a request on a speaker card prior to the start of the Consent Calendar period. Each speaker is limited to three minutes.

### **PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA:**

Members of the public desiring to speak during the Public Comments period on a matter listed on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Each speaker is limited to three minutes.

1. Any written communications, photos, or other material for copying and distribution to the City Council that is 10 pages or less, must be submitted to the City Clerk **NO LATER THAN 3:00 P.M.** If the public wishes to submit written communication, photos, or other material for distribution to the City Council at the meeting **AFTER 3:00 p.m.**, 10 copies will need to be provided for distribution. Please note that **NO** copies of written communication will be made **AFTER 3:00 p.m.** All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. Kindly submit to the City Clerk **AS EARLY AS POSSIBLE, BUT NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.** Materials may also be e-mailed to [cityclerk@costamesaca.gov](mailto:cityclerk@costamesaca.gov).
2. **All cell phones and other electronic devices are to be turned off or set to vibrate.** Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.
3. Free Wi-Fi is available in the Council Chamber during the meetings. Two networks are available: council1 and council2. The password for either network is: cmcouncil.

In compliance with the Americans with Disabilities Act of 1990, Assistive Listening headphones located inside the Council Chambers are available at all Costa Mesa City Council meetings and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al (714) 754-5225 por lo menos con 48 horas de anticipación.

## **CLOSED SESSION – 4:00 P.M.**

### **CALL TO ORDER**

### **ROLL CALL**

**PUBLIC COMMENTS** - Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given a total of three minutes to speak on all items on the Closed Session agenda.

#### **1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Subdivision (b)(1) of Section 54957, California Government Code  
Title: City Attorney

#### **2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: Timothy Dadey, et al. v. City of Costa Mesa, Orange County Superior Court of California, Case No. 30-2014-00757962-CU-CR-CJC.

#### **3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: The Kennedy Commission, et al. v. City of Costa Mesa, Orange County Superior Court of California, Case No. 30-2016-00832585-CU-WM-CJC.

#### **4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: Orange County Catholic Worker, an unincorporated association: Lisa Bell, Shawn Carroll, Melissa Fields, Larry Ford, Cameron Ralston, Kathy Schuler, Gloria Shoemake, as individuals v. Orange County, City of Anaheim, City of Costa Mesa, and City of Orange, United States District Court for the Central District of California – Southern Division, Case No. 8:18-cv-00155.

#### **5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: Yellowstone Women's First Step House, Inc., and Sober Living Network, Inc. v. City of Costa Mesa, U.S. District Court, Central District of California, Case No. SACV14-01852 JVS.

#### **6. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Section 54957.6, California Government Code  
Agency Designated Representative: Tamara Letourneau, Assistant City Manager  
Name of Employee Organization: Costa Mesa Police Management Association (CMPMA)

**7. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Section 54957.6, California Government Code

Agency Designated Representative: Tamara Letourneau, Assistant City Manager

Name of Employee Organization: Costa Mesa Police Officers Association (CMPOA)

**The City Council and Successor Agency to the Redevelopment Agency will recess to Conference Room 5A for Closed Session at the conclusion of public comments.**

**AGENDA CONTINUED ON THE NEXT PAGE**

# REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

TUESDAY, MARCH 6, 2018 – 6:00 P.M.

## CALL TO ORDER

PLEDGE OF ALLEGIANCE      Mayor Genis

## MOMENT OF SOLEMN EXPRESSION

*[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The City Council disclaims any intent to endorse or sponsor the views of any speaker.]*

Pastor Josh Harrison, ROCKHARBOR Church, Costa Mesa

## ROLL CALL

## CITY ATTORNEY CLOSED SESSION REPORT

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b)

**ANNOUNCEMENTS:** There's always something happening in Costa Mesa!  
The Mayor will play a video clip of the "Costa Mesa Minute," featuring upcoming events and activities in the community.

## PRESENTATIONS:

1. Check Presentation – Costa Mesa Library Foundation
2. [Upcoming OC Fair Events & Information](#) – Ms. Kathy Kramer, CEO, OC Fair

## PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:

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## **COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS**

*(Each council member is limited to four minutes. Additional comments will be heard at the end of the meeting)*

1. Mayor Genis
2. Council Member Stephens
3. Council Member Righeimer
4. Mayor Pro Tem Mansoor
5. Council Member Foley

**CONSENT CALENDAR:** All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the City Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion.

### **1. READING FOLDER**

Claims received by the City Clerk: Lisa Ayers and Yoram Benbarak.

RECOMMENDATION:

City Council receive and file.

2. [\*\*WARRANT RESOLUTION NO. 2593 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 18-03 "A" FOR \\$214.22 AND 18-04 FOR \\$2,406,540.43; AND CITY OPERATING EXPENSES FOR \\$1,877,150.98; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID\*\*](#) - Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2593.

3. [\*\*MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING OF FEBRUARY 6, 2018 AND STUDY SESSION OF FEBRUARY 13, 2018\*\*](#)

City Manager's Office/City Clerk Division

RECOMMENDATION:

City Council approve the minutes of February 6, 2018 and February 13, 2018.

**THIS ITEM HAS BEEN WITHDRAWN FROM THE AGENDA.**

**~~4. PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECTURAL DESIGN SERVICES FOR THE LIONS PARK PLAYGROUND IMPROVEMENTS~~**

~~Public Services Department/Engineering Division~~

**RECOMMENDATION:**

- ~~1. City Council award a Professional Services Agreement to David Volz Design Landscape Architects, Inc., 151 Kalmus Drive, Ste. M8, Costa Mesa, CA for the design of playground improvements at Lions Park in the amount of \$274,915.00; and~~
- ~~2. Approve Budget Adjustment No. 18-015 in the amount of \$274,915.00 towards the project; and~~
- ~~3. Authorize the Mayor and City Clerk to execute the Professional Services Agreement; and~~
- ~~4. Authorize the City Manager to execute future amendments to the Agreement.~~

**5. RESOLUTION AUTHORIZING STREET CLOSURES FOR THE 2018 ORANGE COUNTY MARATHON**

Public Services Department/Transportation Services Division

**RECOMMENDATION:**

City Council adopt Resolution No. 18-xx, designating event routes for the 2018 Orange County (OC) Marathon and approve the temporary street closures for May 5, 2018, and May 6, 2018, as requested for the 2018 OC Marathon.

**6. CONSIDER ADOPTION OF A RESOLUTION SUPPORTING THE REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2018**

Police Department

**RECOMMENDATION:**

City Council adopt Resolution No. 18-xx, which supports the Reducing Crime and Keeping California Safe Act of 2018.

7. **THIRD PARTY WORKERS' COMPENSATION CLAIMS ADMINISTRATION SERVICES** – City Manager's Office/Human Resources Division

RECOMMENDATION:

1. City Council award the contract for Third Party Workers Compensation Claims Administration Services per Request for Proposal (RFP) to AdminSure, Inc.; and
2. Authorize the Mayor and City Clerk to execute the four (4) year Professional Services Agreement for the contract; and
3. Authorize the City Manager to extend the contract for an additional one-year term as applicable.

**AT THIS TIME COUNCIL WILL ADDRESS ANY ITEMS PULLED FROM THE CONSENT CALENDAR**

----- END OF CONSENT CALENDAR -----

**PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55):**

1. **PUBLIC HEARING FOR THE VACATION OF A PORTION OF LANDSCAPE EASEMENT AT 1585 MACARTHUR BOULEVARD, 3530 HYLAND AVENUE AND 1580-1590 SCENIC AVENUE**  
Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt Resolution No. 18-xx, ordering the vacation of a portion of a Landscape Easement at 1585 MacArthur Boulevard, 3530 Hyland Avenue and 1580-1590 Scenic Avenue; and
2. Authorize the execution of the Quitclaim Deed by the Mayor and the City Clerk.

**OLD BUSINESS:**

1. **ANALYSIS OF ALTERNATIVES FOR CITY ATTORNEY SERVICES**  
City Manager's Office

RECOMMENDATION:

Staff recommends the City Council provide direction to staff on the City Attorney position.



**NEW BUSINESS:**

1. **CANDIDATE FORUMS** – City Manager’s Office

RECOMMENDATION:

City Council provide direction regarding City staff’s participation in videotaping of candidate forums and the inclusion of such forums on the City’s cable television channel (CMTV3) and website.

2. **SECOND AMENDMENT TO THE CITY MANAGER EMPLOYMENT AGREEMENT** – City Manager’s Office

RECOMMENDATION:

It is recommended that the City Council approve the second amendment to the City Manager employment agreement.

**ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS**

**REPORT – CITY MANAGER**

**REPORT – CITY ATTORNEY**

**ADJOURNMENT**

## UPCOMING COMMUNITY EVENTS AND ACTIVITIES

Friday, March 9 - Sunday, March 11, 2018 – **Bring It On, The Musical**. Costa Mesa High School Performing Arts Center, 2650 Fairview Rd, Costa Mesa. Tickets are on sale at [showtix4u.com](http://showtix4u.com).

Friday, March 9, 2018 - Golf Tournament, Costa Mesa Country Club, 1701 Golf Course Dr. The city's Network for Homeless Solutions and Fresh Beginnings Ministries are hosting a golf tournament & fundraiser. For more information, please email [bob@freshbeginningsministries.com](mailto:bob@freshbeginningsministries.com).

Saturday, March 10, 2018 - **An Evening of Loving Your City**, 6-9 p.m. Westside Museum, 729 Farad St. Join Trellis for some good food, music and engaging activities and celebrate many of the things that make Costa Mesa great.

Tuesday, March 6, 2018 – **Business Networking & Breakfast Learning Series: Generating Repeat Business**, 8 -10 a.m. Orange Coast College Ronnenberg Center 101. For more information, please visit [www.orangecoastcollege.edu/chamber](http://www.orangecoastcollege.edu/chamber)

Tuesday, March 13, 2018 - **Chamber 101**, 9-9:45 a.m. Costa Mesa Chamber of Commerce Office, 1700 Adams Ave. Learn what the Chamber can offer its members. For more information, please visit [www.costamesachamber.com](http://www.costamesachamber.com).

Thursday, March 15, 2018 - **State of the City Luncheon**, 11:30 a.m.- 1 p.m., Avenue of the Arts Hotel, 3350 Avenue of the Arts. State of the City Luncheon hosted by the Costa Mesa Chamber of Commerce with presentations by Costa Mesa Mayor Sandra Genis and City Manager Tom Hatch. RSVP by March 9, 2018. [www.costamesachamber.com](http://www.costamesachamber.com)

Friday, March 16, 2018 - **Friday Night at the Movies at OCC**, 6:30- 9 p.m. Orange Coast College. Friday Night at The Movies presents educational talks and screenings of classic films from the 1920s to the late 1960s. For more information, please call the Community Education Department at 714-432-5880.

Wednesday, March 21, 2018 - **Knowledge and Health Fair Expo**, 10 a.m.- 1 p.m., Costa Mesa Senior Center, 695 West 19th Street. Visit with more than 30 vendors regarding health and wellness, housing and health screenings. For more information, please call 714-327-7550.

Thursday, March 29, 2018 - **Alzheimer's Forum**, 6-8 p.m. Costa Mesa Senior Center, 695 W. 19th St. Hosted by Mayor Pro Tem Allan Manor and Dr. Dung Trinh.

Friday, April 13 – Sunday, April 15, 2018 – **Imaginology**, OC Fair & Event Center. Set a course for full STEAM ahead to OC Fair's Imaginology, where science, technology, engineering, art and math come alive in the most fun and exciting ways. [www.ocfair.com/imaginology](http://www.ocfair.com/imaginology)

Saturday, April 21, 2018 – **Tour de OC Bike-A-Thon**, Start and finish at Vanguard University, The 24<sup>th</sup> Annual Tour de OC raises money for abused and neglected children in the foster care system. [www.tourdeoc.org](http://www.tourdeoc.org)